

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL EDUCATION ASSOCIATION,
 CALIFORNIA TEACHERS ASSOCIATION,
 SHANE HEIMAN, KWYNN UYEHARA, &
 STEPHANIE PORTILLA

Plaintiffs,

vs.

BETSY DEVOS, *in her official capacity as*
Secretary of Education, & UNITED STATES
 DEPARTMENT OF EDUCATION,

Defendants.

Case No.: 18-cv-5173

**JOINT PROPOSED BRIEFING
 SCHEDULE**

Pursuant to the Court's December 17, 2018 Order (ECF No 31), the parties have conferred on a proposed schedule for next steps in this case and submit this update to the Court.

The parties have agreed that the Defendants will file the administrative record on or before January 3, 2019. No later than January 9, 2019, Plaintiffs will inform the Court and opposing counsel whether they plan to refile their motion for summary judgment or whether they will proceed with their motion for summary judgment filed on October 23, 2018 (ECF 20). The parties propose two alternative schedules as outlined below, contingent on Plaintiffs' January 9, 2019 notice.

Schedule A (if Plaintiffs file notice to Court that they will not refile motion for summary judgment on January 9)

Event	Deadline
Defendants' Consolidated Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment	January 17, 2019
Plaintiffs' Consolidated Reply to their Motion for Summary Judgment and Opposition to Defendants' Cross-Motion for Summary Judgment	February 7, 2019

Defendants' Reply to their Motion for Summary Judgment	February 19, 2019
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Schedule B (If Plaintiffs file notice to Court that they will refile motion for summary judgment on January 9)

Event	Deadline
Plaintiff's Motion for Summary Judgment	January 17, 2019
Defendants' Consolidated Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment	February 7, 2019
Plaintiffs' Consolidated Reply to their Motion for Summary Judgment and Opposition to Defendants' Cross-Motion for Summary Judgment	February 19, 2019
Defendants' Reply to their Motion for Summary Judgment	March 5, 2019

The parties have agreed to stay Defendants' obligation to file an answer until resolution of the parties' motions for summary judgment.

Dated: December 20, 2018

Respectfully submitted,

/s/ Martha U. Fulford
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